

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LOUIS C. NAVARRA,

Plaintiff,

v.

Case No: 2:19-cv-834-FtM-29MRM

PERRY WILSON, KENNETH CODY,
HEATHER CAUSER, and JEFFREY
BARKLEY,

Defendants.

OPINION AND ORDER

This matter comes before the Court on review of plaintiff's Motion for Injunction (Doc. #56) filed on September 1, 2020. Defendant filed a Response in Opposition (Doc. #57) on September 2, 2020. For the reasons set forth below, the motion is denied.

In determining whether preliminary injunctive relief is to be granted, the Court considers whether the movant has established (1) a substantial likelihood of success on the merits, (2) that irreparable injury will be suffered if the relief is not granted, (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant, and (4) that entry of the relief would serve the public interest. Schiavo ex rel. Schindler v. Schiavo, 403 F.3d 1223, 1225-26 (11th Cir. 2005). In this Circuit, a preliminary injunction is "an extraordinary and drastic remedy not to be granted unless the movant clearly established the 'burden of

persuasion'" as to each of the four prerequisites. Siegel v. LePore, 234 F.3d 1163, 1176 (11th Cir. 2000) (citation omitted). Because the movant "must meet all four prerequisites to obtain a preliminary injunction, failure to meet even one dooms" the motion. Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1248 (11th Cir. 2016).

Here, plaintiff, acting pro se, seeks an injunction against defendants' attorney due to various allegations related to discovery. (Doc. #56.) Specifically, plaintiff seeks "a cease and desist order," requiring counsel "to quit his hostility" and "curt attitude" towards plaintiff, as well as prohibiting counsel from making "threats of action" if plaintiff does not comply with discovery requests. (Id. p. 2.) Having reviewed the motion as well as the attached exhibits, it is clear none of the prerequisites for a preliminary injunction have been demonstrated. Therefore, the motion will be denied.*

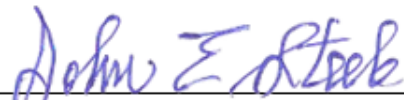
Accordingly, it is now

ORDERED:

Plaintiff's Motion for Injunction is **DENIED**.

DONE AND ORDERED at Fort Myers, Florida, this 3rd day of September, 2020.

* To the extent plaintiff seeks to impose sanctions against opposing counsel, he can file the appropriate motion requesting such relief.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Parties of record